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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/939,527 09/29/97 YAMAJI

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PM82/0927

EXAMINER

JASMIN, L

ART UNIT

PAPER NUMBER

3611

12

DATE MAILED:

09/27/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/939,527

Applicant(s)
Yamaji et al.

Examiner
Lynda Jasmin

Group Art Unit
3611



☒ Responsive to communication(s) filed on amendment filed July 2, 1999.

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 3, 4, and 7-11 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 4 and 7 is/are allowed.

☒ Claim(s) 3 and 8-11 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Acknowledgments

1. Amendment received on July 02, 1999, has been entered.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8, 3, 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchner et al. (3,792,873), in view of Yamada (5,884,937).

Buchner et al. ('873) discloses a safety device as claimed having a bag portion (3) formed by two woven fabric panels (5a, 5b) connected along an outer peripheral portion by a connecting portion (connecting seams 6), a linear connecting portion (6) being formed by weaving a textile structure (column 3 lines 51-56), having a common yarn constituting both fabrics (column 5 lines 2-7), the bag portion (3) sealed over a whole area by an air non-permeable coating material (column 3 lines 66-68). However, Buchner et al. does not teach a side impact air bag having a connection portion non-continuous having a gap to form an opening, and the opening being defined by the connecting portion and the woven fabric panels.

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The patent to Yamada ('937) teaches the concept of a side impact safety device having a connection portion (fig 3, dash lines in the bag portion 20) non-continuous having a gap (20E) to form an opening for introducing the inflator gas (16), and the opening being defined by the connecting portion and the woven fabric panels (20C, 20D), the opening extends to form a cylindrical duct (fig. 5), the opening is disposed at a front end part of the bag portion which is for positioning at a front side of the vehicle (fig 6), and wherein one of the two woven fabric panels (20C, 20D) is extended outwardly from the connecting portion to form a mounting portion (20B).

Based on the connecting structure of Yamada, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buchner et al. to include the non-continuous portion having a gap to form an opening, in order to ensure better confinement by forming a plurality of air chambers.

Allowable Subject Matter

4. Claims 4 and 7 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter: the prior art made of record and considered pertinent to the applicant's disclosure does not teach or suggest an inflator-side terminal portion of the stitching being formed having one of a U-shape or a circular shape.

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Response to Arguments

6. Applicant's arguments with respect to claims 3, 8-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

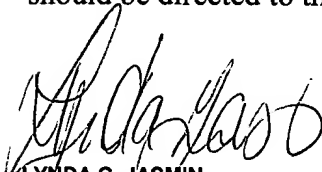
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Jasmin whose telephone number is (703) 305-0465. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:00 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann, can be reached on (703) 306-4115. The fax phone number for this Group is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.


LYNDA C. JASMIN
PATENT EXAMINER

September 20, 1999


PAUL N. DICKSON
PRIMARY EXAMINER

9/20/99